

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**PACIFIC HARVEST, INC./APIO, INC.,  
AS JOINT EMPLOYER**

**and**

**Case 31-CA-200226**

**UNITED FOOD AND COMMERCIAL WORKERS  
UNION, LOCAL 5 AFL-CIO, CLC**

**ORDER<sup>1</sup>**

The Employer's petition to revoke subpoena duces tecum B-1-Y9N3HZ is denied. The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., March 16, 2018

MARVIN E. KAPLAN,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
LAUREN McFERRAN,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.